

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

BRIAN GARRETT, *et al.*,

Plaintiffs,

v.

Civil Action 2:18-cv-692

Judge Michael H. Watson

Chief Magistrate Judge Elizabeth P. Deavers

THE OHIO STATE UNIVERSITY,

Defendant.

ORDER

For good cause shown, Plaintiffs' Motion for John Doe Plaintiffs to Proceed Anonymously (ECF No. 49) is **GRANTED¹ IN PART and DENIED IN PART** as follows. To the extent that Plaintiffs wish to proceed anonymously on the docket, the Motion is **GRANTED**. The parties are **DIRECTED** to use "John Doe 1–35" in all pleadings and documents to be filed on the public record when referring to the thirty-one Plaintiffs who wish to proceed anonymously in this action.²

Plaintiffs also ask the Court for an order "requiring Plaintiffs' true names not be disclosed to the Defendant, its attorneys, and those working for it, and to witnesses, unless Defendant establishes a need to know[.]" (ECF No. 49 at 3 (emphasis added).) The Court is not persuaded that the present record warrants such an order. Moreover, the Court has already issued an Order in the related case, ECF No. 33, filed in Case No. 2:18-cv-736, that provides disclosure to

¹ Defendant does not currently oppose Plaintiffs' current request for anonymity but reserves its right to revisit the request depending on subsequent case developments. (*Id.* at 1–2.)

² Plaintiffs represent that four of the thirty-nine Plaintiffs have agreed to proceed in this action using their own names (*id.* at 2) and, indeed, already appear in the First Amended Complaint (ECF No. 33).

Defendant, its attorneys, and legal support staff for Defendant. Accordingly, in keeping with that prior Order, to the extent counsel for Plaintiffs have not already done so, they shall disclose these thirty-five Plaintiffs' true identities to Defendant's attorneys. Defense counsel may disclose the Doe Plaintiffs' identities to Defendant and to other legal support staff for Defendant. The Doe Plaintiffs' identities also may be disclosed to witnesses only on a "need to know" basis in the course of this litigation. To that end, the parties are **DIRECTED** to discuss and resolve any question as to which witnesses "need to know" the true identities, but the parties may contact the Court in the event they have reached impasse on this issue.

Plaintiffs must file with the Court *ex parte* and under seal a First Amended Complaint bearing the thirty-five Doe Plaintiffs' true names **WITHIN FOURTEEN (14) DAYS** of the date of this Order.

IT IS SO ORDERED.

Date: January 17, 2019

/s/ Elizabeth A. Preston Deavers
ELIZABETH A. PRESTON DEAVERS
CHIEF UNITED STATES MAGISTRATE JUDGE